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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,173	04/06/2001	Donald B. Harris	068540-0102	4371

7590

02/10/2005

HALL, PRIDDY, MYERS & VANDE SANDE
10220 River Road
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Potomac, MD 20854

EXAMINER

FISCHMANN, BRYAN R

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/827,173

EXAMINER

FISCHMANN

ART UNIT	PAPER
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20050207

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Commissioner for Patents

In the Restriction Requirement dated 05-14-2005, a requirement was made for Applicant to elect a species, and subspecies, when appropriate, for each of "Category A" and "Category B", along with a listing of claims readable thereon. In the Election dated 09-14-2004, the Applicant elected Species II of Category A and Species I of Category B.

However, the Applicant did not state which claims are readable thereon, as required by the Restriction Requirement dated 05-14-2005. Instead, the Applicant only stated which claims are generic. Due to the lack of statement of which claims "read" on the elected species, the Election dated 09-14-2004 is considered non-responsive.

The Examiner notes the Election was made with traverse. The Examiner will respond to the arguments against the restriction when all restriction requirements have been met.

Applicant is given a one month period for reply.

 2-7-5
BRYAN FISCHMANN
PRIMARY EXAMINER